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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/505,810	KAWAGUCHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Alain L. Bashore	1762	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12-21-05.
2. ☒ The allowed claim(s) is/are 3-13,48,54,55,72-75,78-82 and 84-90.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|--|

  
**ALAIN L. BASHORE**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to the rejection of record have been fully considered and are persuasive. The finality of the previous office action has been withdrawn.

### ***Election/Restrictions***

2. This application is in condition for allowance except for the presence of claims directed to invention non-elected without traverse. Accordingly, claims 14-19, 21-22, 33-38, 50-53 been cancelled.

## **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Cancel claims 14-19, 21-22, 33-38, 50-53.

***Allowable Subject Matter***

4. Claims 3-13, 48, 54-55, 72-75, 78-82, 84-90 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 84, 85, 86, 87, 89. Claim 84 recites an electronic asset utilization system, claim 85 recites an electronic asset utilization method, claim 86 recites a server connected to a terminal by way of a communications network, said server for use in an electronic utilization system, claim 87 recites a server connected to a terminal by way of a communications network, said server for use in an electronic asset utilization system, claim 89 recites an electronic asset utilization method.

Delapa et al is considered the closest prior art. Delapa et al discloses an electronic utilization system and method. A terminal outputs a signal for a desired asset (fig 1). An exchange certificate (a coupon) with content (55, 57, 59) verifies a user's right to receive an electronic asset (col 4, lines 20-67, col 5, lines 1 -31 ). Settlement and status information are present, as is an expiration date is also utilized for the certificates (fig 20).

Delapa et al does not disclose the combination including:

In claim 84:

means for sending an order for purchasing an electronic asset including electronic data for obtaining a service or product being offered for sale by a vendor,

means for electronically requesting the issuance of said electronic asset on a predetermined date and time,

means for electronically transmitting financial information to support said purchase of said electronic asset, and

means for receiving settlement information about said purchase; and

a server connected to the communications network, said server including:

a user processing section for receiving said order from said first terminal;

a settlement processing section for receiving said financial information from said first terminal, and for settling a charge for said purchase response to receiving said financial transmitting said settlement information about the purchase to information, and also for electronically said first terminal after settling said charge,

an exchange certificate issuance section for electronically transmitting an exchange certificate including electronic data to said first terminal or to a second terminal in response to said order, wherein said exchange certificate is used for verifying a user's right to receive said electronic asset;

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an electronic asset issuance section for electronically transmitting said electronic asset corresponding and in exchange for, the exchange certificate, at said predetermined.

In claim 85:

requesting the issuance of said predetermined date and time,  
electronically transmitting financial information to support said purchase of said electronic asset, and

receiving settlement information about said purchase; and  
issuing said electronic asset, including the steps of:  
receiving said order from said first terminal;  
receiving said financial information from said first terminal,  
settling a charge for said purchase in response to receiving said financial information,

electronically transmitting said settlement information about the purchase to said first terminal after settling said charge,

electronically transmitting an exchange certificate including electronic data in response to said order, wherein said exchange certificate verifies a user's right to receive said electronic asset, and

electronically transmitting said electronic asset corresponding to, and in exchange for, the exchange certificate, at said predetermined date and time, said transmitting to the user;

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wherein said electronic asset is transmitted only if said exchange certificate has been provided by the user prior to issuing said electronic asset, and

wherein said exchange certificate includes information about obtaining said electronic asset, and further

wherein said electronic asset is for obtaining the service or product from the vendor.

In claim 86:

a settlement processing section for receiving said financial information from said first terminal, and for settling a charge for said purchase in response to receiving said financial information, and also for electronically transmitting said settlement information about the purchase to said first terminal after settling said charge,

an certificate issuance section for electronically transmitting an exchange certificate including electronic data to said first terminal or to a second terminal in response to said order, wherein said exchange certificate verifies a user's right to receive said electronic asset,

an electronic asset issuance section for electronically transmitting said electronic asset corresponding to, and in exchange for, the exchange certificate, at said predetermined date and time, said transmitting to one of said first terminal, said second terminal, or a third terminal, and

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an electronic asset status management section for ensuring that said electronic asset is transmitted to said one of said first terminal, said second terminal, or said third terminal only if said exchange certificate has been transmitted to said server from said one of said first terminal, said second terminal, or said third terminal,

wherein said exchange certificate includes information about obtaining said electronic asset, and further

wherein said electronic asset is for obtaining the service or product from the vendor.

In claim 87:

a settlement processing section for receiving said financial information from said first terminal, and for settling a charge for said purchase in response to receiving said financial information, and also for electronically transmitting said settlement information about the purchase to

said first terminal after settling said charge,

an exchange certificate issuance section for electronically transmitting an exchange certificate including electronic data to the first terminal or to a second terminal in response verifies a user's right to receive said order, wherein said exchange certificate electronic asset,

an electronic asset issuance section for electronically transmitting said electronic asset corresponding to, and in exchange for, the exchange certificate, said transmitting to said one of the first terminal or the second terminal occurring only if said

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exchange certificate has been transmitted to said server from a same one of said one of said first terminal, said second terminal, or said third terminal, and said exchange certificate has been verified;

wherein said exchange certificate includes information about obtaining said electronic asset, and further

wherein said electronic asset is for exchanging for the service or product from the vendor.

In claim 89:

electronically transmitting financial information to support said purchase of said electronic asset, and

receiving settlement information about said purchase; and

issuing said electronic asset, including the steps of:

receiving said order from said first terminal;

receiving said financial information from said first terminal,

settling a charge for said purchase in response to receiving said financial information,

electronically transmitting said settlement information about the purchase to said first terminal after settling said charge,

electronically transmitting an exchange certificate including electronic data



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response to said order, wherein said exchange certificate verifies a user's right to receive said electronic asset, and

electronically transmitting said electronic asset corresponding and in exchange for, the exchange certificate only said exchange certificate has been provided by the user prior to issuing said electronic asset, and only if said exchange certificate has been validated;

wherein said exchange certificate includes information about obtaining said electronic asset,

wherein said electronic asset is and further the user for obtaining for being exchanged by the service or product from the vendor.

For these reasons claims 84, 85, 86, 87, 89 are deemed to be allowable over the prior art of record, and claims 3-13, 48, 54-55, 72-75, 78-82, 88, 90 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

6. Allowable subject matter may require further review for applications in class 705 before a notice of allowance is mailed to applicant. The time period for review may vary from application to application.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

Regarding all Class 705 applications, the management contact regarding examination is: Vincent Millin (SPE, art unit 3624) at 571-272-6747.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Alain L. Bashore  
Primary Examiner  
Art Unit 1762